

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

**IN RE FACEBOOK, INC., IPO SECURITIES : MDL NO. 12-2389
AND DERIVATIVE LITIGATION :**

**This document relates to the
Consolidated NASDAQ Actions:**

No. 12-cv-4054	No. 12-cv-4600
No. 12-cv-4200	No. 12-cv-4716
No. 12-cv-4201	No. 12-cv-5549
No. 12-cv-4315	No. 12-cv-5630
No. 12-cv-4403	No. 12-cv-6882

**DEFENDANTS' NOTICE OF MOTION TO AMEND AND CERTIFY
ORDER ENTERED DECEMBER 16, 2013 FOR
INTERLOCUTORY APPEAL PURSUANT TO 28 U.S.C. § 1292(b)**

TO THE COURT, ALL PARTIES, AND THEIR ATTORNEYS OF RECORD:

PLEASE TAKE NOTICE that defendants, The NASDAQ OMX Group, Inc., The NASDAQ Stock Market LLC, Robert Greifeld, and Anna M. Ewing, will hereby move this Court, before the Honorable Robert W. Sweet at the United States Courthouse for the Southern District of New York, located at 500 Pearl Street, New York, NY 10007, at a time and date to be determined by the Court, to amend its Order entered December 16, 2013 granting in part and denying part Defendants' Motion to Dismiss the Consolidated Amended Class Action Complaint to certify that Order for interlocutory appeal pursuant to 28 U.S.C. § 1292(b).

In support of this motion, defendants hereby rely upon the accompanying Memorandum of Law.

/s/ Stephen J. Kastenber
William A. Slaughter* (Pa. ID 30637)
Stephen J. Kastenber* (Pa. ID 70919)
Paul Lantieri III* (Pa. ID 88160)
BALLARD SPAHR LLP
1735 Market Street, 51st Floor
Philadelphia, PA 19103
Tel: 215.665.8500
Fax: 215.864.8999
slaughter@ballardspahr.com
kastenber@ballardspahr.com
lantierip@ballardspahr.com

*Attorneys for Defendants, The
NASDAQ OMX Group, Inc., The
NASDAQ Stock Market LLC, Robert
Greifeld, and Anna M. Ewing*

* Admitted *pro hac vice*

Dated: December 30, 2013